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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
08/978,490	11/25/1997	ITARU KAWAKAMI	SONY-5300	4451

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EXAMINER

DINH, DUNG C

ART UNIT	PAPER NUMBER
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2153

DATE MAILED: 04/23/2003

24

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

08/978,490

Applicant(s)

KAWAKAMI, ITARU

Examiner

Dung Dinh

Art Unit

2153

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 04 February 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1,2,4,5,7,8,10-21 and 23-25 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,2,4,5,7,8,10-21 and 23-25 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                             | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____  |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)         | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ | 6) <input type="checkbox"/> Other: _____                                    |

**DETAILED ACTION**

***Response to Arguments***

Applicant's arguments filed 12-04-2002 have been fully considered but they are not deemed persuasive.

Applicant argued that the references do not teach communication where a first mode connecting to a server and a second mode connecting to a telephone apparatus using the same telephone line. The argument is not persuasive because this feature is inherent in any computer having a modem. It is well known in the art at the time of the invention to have computer with a modem device. It is well known in the art that a modem is connected to a telephone line. The modem can make data connection to a server or another computer via the telephone line. The modem can make a telephone connection by dialing the telephone number. Some modem has facsimile capability for connecting to a facsimile machine. Each of these functions is established through the same phone line. Hence, the capability to establish a "first communicating mode connecting to a server and a second communication mode connecting to a telephone apparatus, by using the same telephone line" existed in most computers at the time of the invention.

Art Unit: 2153

The following is a quotation of 35 U.S.C. § 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

*(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.*

**Claims 1-5, 20-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over RFC 1738 "Uniform Resource Locators (URL)" 1994 and further in view of Mattaway et al. US patent 6,275,490.**

As per claims 1-2, RFC 1738 provides an Internet standards for the syntax and semantics of a language for location and access of resource.

The RFC 1738 provide for a language usable for describing link location in the form of <scheme>:<scheme-specific-part>, wherein the <scheme> is the communication method, <scheme-specific-part> includes the destination address and other information dependent upon the <scheme> [see pages 2, 5-6].

The RFC 1738 does not specifically disclose using a telephone number as a destination address.

Mattaway teaches a system having HTML tags encoded destination link having a telephone number as a designation

Art Unit: 2153

address [col.4 lines 5-11]. Mattaway does not disclose the specific of the information contained in this telephone destination link.

Hence, it would have been obvious for one of ordinary skill in the art to apply the RFC 1738 standard to the encoding of the telephone address destination to have the communication method (<scheme>) and the telephone number (<scheme-specific-part>) because it would have enable standard parsing and usage of the link information.

The references do not specifically disclose a first communicating mode connecting to a server and a second communicating mode connecting to a telephone apparatus, by using the same telephone line. However, this feature is well known and is inherent in any computer with a modem as explained above. It is inherent that a computer used with the method above would have had a modem in order to make a connection over the telephone line. Else, would obvious for one of ordinary skill in the art to provide the computer with a modem to do so. Hence, the limitation of having a first mode connecting to a server and a second mode connecting to a telephone apparatus would have been inherent/obvious in the computer used for carrying out the method above.

Art Unit: 2153

Claims 4-5, 20-21, are similarly rejected as for claims 1-2 above.

Claims 7-8, 12, 17-19, and 23-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mattaway et al. US patent 6,275,490 and further in view of RFC 1738 "Uniform Resource Locators (URL)" 1994.

As per claim 7, Mattaway teaches an apparatus comprising:

a) a receiver(client's browser) configured to receive information, the information including a telephone number assigned to a line connect to a predetermined apparatus [col.3 lines 50-63, col.4 lines 7-11];

b) a display [fig.2a] configured to display the information

c) a command device [col.3 line 53 pointing device] configured to specify a predetermined position;

d) a communication controller configured to establish a communication link with the predetermined apparatus based on the telephone number, if the predetermined position specified by the command device is associated with the telephone number [apparent from col.3 lines 50-63 when the user selected the destination icon].

Mattaway does not disclose the specific of the information contained in this telephone destination link.

Art Unit: 2153

The RFC 1738 provide for a language usable for describing link location in the form of <scheme>:<scheme-specific-part>, wherein the <scheme> is the communication method, <scheme-specific-part> includes the destination address and other information dependent upon the <scheme> [see pages 2, 5-6].

Hence, it would have been obvious for one of ordinary skill in the art to apply the RFC 1738 standard to the encoding of the telephone address destination to have the communication method (<scheme>) and the telephone number (<scheme-specific-part>) because it would have enable standard parsing and usage of the link information.

The references do not specifically disclose a first communicating mode connecting to a server and a second communicating mode connecting to a telephone apparatus, by using the same telephone line. However, this feature is well known and is inherent in any computer with a modem as explained above. It is inherent that a computer used with the method above would have had a modem in order to make a connection over the telephone line. Else, would obvious for one of ordinary skill in the art to provide the computer with a modem to do so. Hence, the limitation of having a first mode connecting to a server and a second mode connecting to a telephone apparatus

Art Unit: 2153

would have been inherent/obvious in the computer used for carrying out the method above.

As per claim 8, Mattaway teaches HTML encoding of the link destination [col.3 line 57].

As per claim 12, Mattaway does not specifically disclose confirming that the communication link shall be established. It is well known in the art to offer the user confirmation when action with consequence or cost to the user is about to be performed. It would have been obvious for one of ordinary skill in the art to confirm that the user meant to establish the connection because it would have enabled the system to confirm the user's intention and prevent erroneous activation of the link.

Claims 17-19, 23-25 are similarly rejected as for claim 7 above.

**Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Mattaway et al. US patent 6,275,490.**

As per claim 10, Mattaway teaches an apparatus comprising:

a) a receiver(client's browser) configured to receive information, the information including a telephone number assigned to a line connect to a predetermined apparatus [col.3 lines 50-63, col.4 lines 7-11];



Art Unit: 2153

- b) a display [fig.2a] configured to display the information
- c) a command device [col.3 line 53 pointing device] configured to specify a predetermined position;
- d) a communication controller configured to establish a communication link with the predetermined apparatus based on the telephone number, if the predetermined position specified by the command device is associated with the telephone number [apparent from col.3 lines 50-63 when the user selected the destination icon].

the reference does not specifically disclose providing a telephone-number selector when there are plural telephone number associated with the position. It is well known in the art of Graphical User Interface to provide a pick-list when there are multiple choices associated with a position selected by a pointing device. It would have been obvious for one of ordinary skill in the art to provide a telephone number selector when there are plural phone numbers associated with the position because it would have simplified the display by presenting only one icon for the plural numbers.

The references do not specifically disclose a first communicating mode connecting to a server and a second communicating mode connecting to a telephone apparatus, by using the same telephone line. However, this feature is well known

Art Unit: 2153

and is inherent in any computer with a modem as explained above. It is inherent that a computer used with the method above would have had a modem in order to make a connection over the telephone line. Else, would obvious for one of ordinary skill in the art to provide the computer with a modem to do so. Hence, the limitation of having a first mode connecting to a server and a second mode connecting to a telephone apparatus would have been inherent/obvious in the computer used for carrying out the method above.

**Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over Mattaway et al. US patent 6,275,490 and further in view of Mark US patent 5,732,133.**

As per claim 10, Mattaway teaches an apparatus comprising:

a) a receiver(client's browser) configured to receive information, the information including a telephone number assigned to a line connect to a predetermined apparatus [col.3 lines 50-63, col.4 lines 7-11];

b) a display [fig.2a] configured to display the information

c) a command device [col.3 line 53 pointing device] configured to specify a predetermined position;

d) a communication controller configured to establish a communication link with the predetermined apparatus based on the

Art Unit: 2153

telephone number, if the predetermined position specified by the command device is associated with the telephone number [apparent from col.3 lines 50-63 when the user selected the destination icon];

the reference does not specifically disclose providing a number adder for adding a number required for international communication to a telephone number.

Mark discloses automatic adding of international telephone code prefix and area code to the phone number to make it relatively easy for a user to place long distance calls from foreign countries. It would have been obvious for one of ordinary skill in the art to have automatic telephone code adder because it would have ease the burden on the user and improved the usability of the system.

The references do not specifically disclose a first communicating mode connecting to a server and a second communicating mode connecting to a telephone apparatus, by using the same telephone line. However, this feature is well known and is inherent in any computer with a modem as explained above. It is inherent that a computer used with the method above would have had a modem in order to make a connection over the telephone line. Else, would obvious for one of ordinary skill in the art to provide the computer with a modem to do so.

Art Unit: 2153

Hence, the limitation of having a first mode connecting to a server and a second mode connecting to a telephone apparatus would have been inherent/obvious in the computer used for carrying out the method above.

**Claim 13 is rejected under 35 U.S.C. 103(a) as being unpatentable over Mattaway et al. US patent 6,275,490 and further in view of Mincone et al. US patent 4,585,904.**

As per claim 13, Mattaway teaches an apparatus comprising:

a) a receiver(client's browser) configured to receive information, the information including a telephone number assigned to a line connect to a predetermined apparatus [col.3 lines 50-63, col.4 lines 7-11];

b) a display [fig.2a] configured to display the information

c) a command device [col.3 line 53 pointing device] configured to specify a predetermined position;

d) a communication controller configured to establish a communication link with the predetermined apparatus based on the telephone number, if the predetermined position specified by the command device is associated with the telephone number [apparent from col.3 lines 50-63 when the user selected the destination icon];

the reference does not specifically disclose displaying an estimate cost of the all.

Mincone discloses automatic display estimated cost of a call to be made [see abstract].

It would have been obvious for one of ordinary skill in the art to have display the estimated cost of the call because it would have enable the user to know and judge whether he want to incur the charge associated with the call.

**Claims 14-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mattaway et al. US patent 6,275,490 and further in view of Smith US patent 5,835,724.**

As per claim 14, Mattaway teaches an apparatus comprising:

a) a receiver(client's browser) configured to receive information, the information including a telephone number assigned to a line connect to a predetermined apparatus [col.3 lines 50-63, col.4 lines 7-11];

b) a display [fig.2a] configured to display the information

c) a command device [col.3 line 53 pointing device] configured to specify a predetermined position;

d) a communication controller configured to establish a communication link with the predetermined apparatus based on the telephone number, if the predetermined position specified by the

Art Unit: 2153

command device is associated with the telephone number [apparent from col.3 lines 50-63 when the user selected the destination icon];

the reference does not specifically disclose reestablishing connection after the receiver was disconnected.

Smith discloses as system for automatic continue a session after a client was disconnected.

It would have been obvious for one of ordinary skill in the art to have provide means for reestablishing a connection when a receiver was disconnected because it would have improved the system by enabling the receiver to resume a disconnected session.

The references do not specifically disclose a first communicating mode connecting to a server and a second communicating mode connecting to a telephone apparatus, by using the same telephone line. However, this feature is well known and is inherent in any computer with a modem as explained above. It is inherent that a computer used with the method above would have had a modem in order to make a connection over the telephone line. Else, would obvious for one of ordinary skill in the art to provide the computer with a modem to do so. Hence, the limitation of having a first mode connecting to a server and a second mode connecting to a telephone apparatus

Art Unit: 2153

would have been inherent/obvious in the computer used for carrying out the method above.

As per claims 15-16, they are similarly rejected as for claim 14 above.

### **Conclusion**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dung Dinh whose telephone number is (703) 305-9655. The examiner can normally be reached on Monday-Thursday from 7:00 AM - 4:30 PM. The examiner can also be reached on alternate Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glenton Burgess can be reached at (703) 305-4792.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group 2100 Customer Service whose telephone number is (703) 306-5631.

**Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks  
Washington, DC 20231

**or faxed to:**

(703) 746-7239, (for formal communications intended for entry)  
(703) 746-7240 (for informal or draft communications, please label "PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Fourth Floor (Receptionist).



Dung Dinh  
Primary Examiner  
April 18, 2003